

Certificate Under 37 CFR 1.8

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office, Commissioner for Patents, via the EFS on September 19, 2008.

  
Jay Q. Knobloch, Reg. No. 57,347

**BRINKS**  
**HOFER**  
**GILSON**  
**& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: MARSHALL et al.

Appln. No.: 09/751,151

Filed: December 27, 2000

For: COMPUTER BASED  
AUTOMATIC AUDIO MIXER

Attorney Docket No: 13149/3  
(Client No. EK0-001-2000200)

Examiner: Flanders, A.C.

Group Art Unit: 2615

Confirmation No. 8710

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (37 CFR § 1.114)**

Sir:

Applicant requests continued examination of the above-identified application under 37 CFR §1.114.

☒ Submission under 37 CFR 1.114 (*check at least one of the following*):

☐ Previously submitted:

☐ Applicant requests nonentry of any previously-filed unentered amendments.

☐ Please enter and consider the Amendment After Final Under 37 CFR §1.116 previously filed on \_\_\_\_\_

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

☐ Other: \_\_\_\_\_

☒ Attached is:

☐ An Information Disclosure Statement

☒ An Amendment to the written description, claims, or drawings

☐ New Arguments and/or New Evidence in support of Patentability

☐ Other: \_\_\_\_\_

☐ Request for suspension of action:

Applicant(s) hereby requests suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 CFR §1.17(i)).

☒ Small Entity Status:

☒ Applicants hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicant calculates the following fees to be due in connection with this Request:

☒ A Request fee of \$405.00 under 37 CFR §1.17(e).

☐ A suspension processing fee of \$\_\_\_\_\_ under 37 CFR §1.17(i).

☐ An additional filing fee of \$\_\_\_\_\_ under 37 CFR §1.16 (\_\_\_\_\_ additional independent claims and/or \_\_\_\_\_ additional total claims).

☐ A Petition fee of \$\_\_\_\_\_ under 37 CFR § 1.313(c).

☒ Fee payment to cover the above-enumerated fees:

☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$405.00 for the RCE fee.

☐ A payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE).

Respectfully submitted,

September 19, 2008

Date

Jay Q. Knobloch  
Jay Q. Knobloch (Reg. No. 57,347)